

105TH CONGRESS
2D SESSION

H. R. 4104

AN ACT

Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1999, and for other purposes.

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Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1999, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Treasury Department, the United States Postal Service,
6 the Executive Office of the President, and certain Inde-
7 pendent Agencies, for the fiscal year ending September 30,
8 1999, and for other purposes, namely:

9 TITLE I—DEPARTMENT OF THE TREASURY

10 DEPARTMENTAL OFFICES

11 SALARIES AND EXPENSES

12 For necessary expenses of the Departmental Offices
13 including operation and maintenance of the Treasury
14 Buildings and Annex; hire of passenger motor vehicles;
15 maintenance, repairs, and improvements of, and purchase
16 of commercial insurance policies for, real properties leased
17 or owned overseas, when necessary for the performance
18 of official business; not to exceed \$2,900,000 for official
19 travel expenses; not to exceed \$150,000 for official recep-
20 tion and representation expenses; not to exceed \$258,000
21 for unforeseen emergencies of a confidential nature, to be
22 allocated and expended under the direction of the Sec-
23 retary of the Treasury and to be accounted for solely on
24 his certificate, \$122,889,000: *Provided*, That the Office of
25 Foreign Assets Control shall be funded at no less than

1 \$5,517,000: *Provided further*, That of the funds provided
2 under this heading, \$2,000,000 shall be available only for
3 the provision of compensation for losses incurred due to
4 the denial of entry into the United States of any firearms
5 as defined in section 921(a)(3) of title 18, United States
6 Code that: (1) as of the date of the enactment of this Act,
7 could lawfully be manufactured and sold in the United
8 States; (2) that is of a type that was determined by the
9 Secretary of the Treasury on April 6, 1998, to be not im-
10 portable into the United States; and (3) as of February
11 10, 1998, was conditionally released under bond to the
12 importer by the United States Customs Service. The losses
13 compensated under the preceding sentence shall be only
14 for the cost of the weapons and any shipping, transpor-
15 tation, duty, and storage costs incurred by the importer,
16 as determined by the Secretary of the Treasury.

17 OFFICE OF PROFESSIONAL RESPONSIBILITY

18 SALARIES AND EXPENSES

19 For necessary expenses of the Office of Professional
20 Responsibility, including the purchase and hire of pas-
21 senger motor vehicles, \$1,250,000.

22 AUTOMATION ENHANCEMENT

23 (INCLUDING TRANSFER OF FUNDS)

24 For the development and acquisition of automatic
25 data processing equipment, software, and services for the

1 Department of the Treasury, \$31,190,000: *Provided*, That
2 these funds shall remain available until September 30,
3 2000: *Provided further*, That these funds shall be trans-
4 ferred to accounts and in amounts as necessary to satisfy
5 the requirements of the Department's offices, bureaus,
6 and other organizations: *Provided further*, That this trans-
7 fer authority shall be in addition to any other transfer au-
8 thority provided in this Act: *Provided further*, That none
9 of the funds appropriated shall be used to support or sup-
10 plement Internal Revenue Service appropriations for In-
11 formation Systems: *Provided further*, That no funds may
12 be obligated for the Automated Commercial Environment
13 project until the Commissioner of Customs has submitted
14 to the Committees on Appropriations an enterprise infor-
15 mation systems architecture plan for the U.S. Customs
16 Service consistent with the Treasury Information Systems
17 Architecture Framework and approved by the Treasury
18 Investment Review Board.

19 OFFICE OF INSPECTOR GENERAL

20 SALARIES AND EXPENSES

21 For necessary expenses of the Office of Inspector
22 General in carrying out the provisions of the Inspector
23 General Act of 1978, not to exceed \$2,000,000 for official
24 travel expenses; including hire of passenger motor vehicles;
25 and not to exceed \$100,000 for unforeseen emergencies

1 of a confidential nature, to be allocated and expended
2 under the direction of the Inspector General of the Treas-
3 ury, \$30,678,000.

4 TREASURY BUILDING AND ANNEX REPAIR AND
5 RESTORATION

6 For the repair, alteration, and improvement of the
7 Treasury Building and Annex, \$27,000,000, to remain
8 available until expended: *Provided*, That these funds shall
9 not be available for obligation until September 30, 1999.

10 FINANCIAL CRIMES ENFORCEMENT NETWORK
11 SALARIES AND EXPENSES

12 For necessary expenses of the Financial Crimes En-
13 forcement Network, including hire of passenger motor ve-
14 hicles; travel expenses of non-Federal law enforcement
15 personnel to attend meetings concerned with financial in-
16 telligence activities, law enforcement, and financial regula-
17 tion; not to exceed \$14,000 for official reception and rep-
18 resentation expenses; and for assistance to Federal law en-
19 forcement agencies, with or without reimbursement,
20 \$24,000,000: *Provided*, That funds appropriated in this
21 account may be used to procure personal services con-
22 tracts.

1 VIOLENT CRIME REDUCTION PROGRAMS

2 (INCLUDING TRANSFER OF FUNDS)

3 For activities authorized by Public Law 103–322, to
4 remain available until expended, which shall be derived
5 from the Violent Crime Reduction Trust Fund, as follows:

6 (1) As authorized by section 190001(e),
7 \$122,000,000; of which \$3,000,000 shall be available to
8 the Bureau of Alcohol, Tobacco and Firearms for admin-
9 istering the Gang Resistance Education and Training pro-
10 gram; of which \$14,528,000 shall be available to the
11 United States Secret Service, including \$6,700,000 for ve-
12 hicle replacement, \$5,000,000 for investigations of coun-
13 terfeiting, and \$2,828,000 for forensic and related support
14 of investigations of missing and exploited children, of
15 which \$828,000 shall be available not earlier than Septem-
16 ber 30, 1999, as a grant for activities related to the inves-
17 tigation of exploited children and shall remain available
18 until expended; of which \$66,472,000 shall be available
19 for the United States Customs Service, including
20 \$54,000,000 for narcotics detection technology,
21 \$9,500,000 for the passenger processing initiative,
22 \$972,000 for construction of canopies for inspection of
23 outbound vehicles along the Southwest border, and
24 \$2,000,000 for the Customs Cyber-Smuggling Center in
25 support of the anti-child pornography program; of which

1 \$14,000,000 shall be available to the Office of National
 2 Drug Control Policy, including \$13,000,000 to the
 3 Counter-Drug Technology Assessment Center to continue
 4 the program to transfer technology to State and local law
 5 enforcement agencies, and \$1,000,000 for Model State
 6 Drug Law Conferences; and of which \$24,000,000 shall
 7 be available for Interagency Crime and Drug Enforce-
 8 ment.

9 (2) As authorized by section 32401, \$10,000,000 to
 10 the Bureau of Alcohol, Tobacco and Firearms for dis-
 11 bursement through grants, cooperative agreements, or
 12 contracts to local governments for Gang Resistance Edu-
 13 cation and Training: *Provided*, That notwithstanding sec-
 14 tions 32401 and 310001, such funds shall be allocated to
 15 State and local law enforcement and prevention organiza-
 16 tions.

17 FEDERAL LAW ENFORCEMENT TRAINING CENTER

18 SALARIES AND EXPENSES

19 For necessary expenses of the Federal Law Enforce-
 20 ment Training Center, as a bureau of the Department of
 21 the Treasury, including materials and support costs of
 22 Federal law enforcement basic training; purchase (not to
 23 exceed 52 for police-type use, without regard to the gen-
 24 eral purchase price limitation) and hire of passenger
 25 motor vehicles; uniforms without regard to the general

1 purchase price limitation for the current fiscal year; the
2 conducting of and participating in firearms matches and
3 presentation of awards; for public awareness and enhance-
4 ing community support of law enforcement training; not
5 to exceed \$9,500 for official reception and representation
6 expenses; and services as authorized by 5 U.S.C. 3109,
7 \$71,923,000, of which up to \$13,843,000 for materials
8 and support costs of Federal law enforcement basic train-
9 ing shall remain available until September 30, 2001: *Pro-*
10 *vided*, That the Center is authorized to accept and use
11 gifts of property, both real and personal, and to accept
12 services, for authorized purposes, including funding of a
13 gift of intrinsic value which shall be awarded annually by
14 the Director of the Center to the outstanding student who
15 graduated from a basic training program at the Center
16 during the previous fiscal year, which shall be funded only
17 by gifts received through the Center's gift authority: *Pro-*
18 *vided further*, That notwithstanding any other provision
19 of law, students attending training at any Federal Law
20 Enforcement Training Center site shall reside in on-Cen-
21 ter or Center-provided housing, insofar as available and
22 in accordance with Center policy: *Provided further*, That
23 funds appropriated in this account shall be available, at
24 the discretion of the Director, for the following: training
25 United States Postal Service law enforcement personnel

1 and Postal police officers; State and local government law
2 enforcement training on a space-available basis; training
3 of foreign law enforcement officials on a space-available
4 basis with reimbursement of actual costs to this appropria-
5 tion, except that reimbursement may be waived by the Sec-
6 retary for law enforcement training activities in foreign
7 countries undertaken pursuant to section 801 of the
8 Antiterrorism and Effective Death Penalty Act of 1996,
9 Public Law 104–32; training of private sector security of-
10 ficials on a space-available basis with reimbursement of
11 actual costs to this appropriation; travel expenses of non-
12 Federal personnel to attend course development meetings
13 and training at the Center; for expenses for student ath-
14 letic and related activities; and room and board for stu-
15 dent interns: *Provided further*, That the Center is author-
16 ized to obligate funds in anticipation of reimbursements
17 from agencies receiving training at the Federal Law En-
18 forcement Training Center, except that total obligations
19 at the end of the fiscal year shall not exceed total budg-
20 etary resources available at the end of the fiscal year: *Pro-*
21 *vided further*, That the Federal Law Enforcement Train-
22 ing Center is authorized to provide short-term medical
23 services for students undergoing training at the Center.

8 INTERAGENCY LAW ENFORCEMENT

For expenses necessary for the detection and investigation of individuals involved in organized crime drug trafficking, including cooperative efforts with State and local law enforcement, \$51,900,000, of which \$7,827,000 shall remain available until expended.

16 SALARIES AND EXPENSES

21 BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

For necessary expenses of the Bureau of Alcohol, Tobacco and Firearms, including purchase of not to exceed 812 vehicles for police-type use, of which 650 shall be for

1 replacement only, and hire of passenger motor vehicles;
2 hire of aircraft; services of expert witnesses at such rates
3 as may be determined by the Director; for payment of per
4 diem and/or subsistence allowances to employees where a
5 major investigative assignment requires an employee to
6 work 16 hours or more per day or to remain overnight
7 at his or her post of duty; not to exceed \$20,000 for offi-
8 cial reception and representation expenses; for training of
9 State and local law enforcement agencies with or without
10 reimbursement, including training in connection with the
11 training and acquisition of canines for explosives and fire
12 accelerants detection; and provision of laboratory assist-
13 ance to State and local agencies, with or without reim-
14 bursement, \$530,624,000; of which \$2,206,000 shall not
15 be available until September 30, 1999; of which not to
16 exceed \$1,000,000 shall be available for the payment of
17 attorneys' fees as provided by 18 U.S.C. 924(d)(2); and
18 of which \$1,000,000 shall be available for the equipping
19 of any vessel, vehicle, equipment, or aircraft available for
20 official use by a State or local law enforcement agency
21 if the conveyance will be used in joint law enforcement
22 operations with the Bureau of Alcohol, Tobacco and Fire-
23 arms and for the payment of overtime salaries, travel, fuel,
24 training, equipment, supplies, and other similar costs of
25 State and local law enforcement personnel, including

1 sworn officers and support personnel, that are incurred
2 in joint operations with the Bureau of Alcohol, Tobacco
3 and Firearms: *Provided*, That no funds made available by
4 this or any other Act may be used to transfer the func-
5 tions, missions, or activities of the Bureau of Alcohol, To-
6 bacco and Firearms to other agencies or Departments in
7 fiscal year 1999: *Provided further*, That no funds appro-
8 priated herein shall be available for salaries or administra-
9 tive expenses in connection with consolidating or centraliz-
10 ing, within the Department of the Treasury, the records,
11 or any portion thereof, of acquisition and disposition of
12 firearms maintained by Federal firearms licensees: *Pro-*
13 *vided further*, That no funds appropriated herein shall be
14 used to pay administrative expenses or the compensation
15 of any officer or employee of the United States to imple-
16 ment an amendment or amendments to 27 CFR 178.118
17 or to change the definition of “Curios or relics” in 27 CFR
18 178.11 or remove any item from ATF Publication
19 5300.11 as it existed on January 1, 1994: *Provided fur-*
20 *ther*, That none of the funds appropriated herein shall be
21 available to investigate or act upon applications for relief
22 from Federal firearms disabilities under 18 U.S.C. 925(c):
23 *Provided further*, That such funds shall be available to in-
24 vestigate and act upon applications filed by corporations
25 for relief from Federal firearms disabilities under 18

1 U.S.C. 925(c): *Provided further*, That no funds in this Act
2 may be used to provide ballistics imaging equipment to
3 any State or local authority who has obtained similar
4 equipment through a Federal grant or subsidy unless the
5 State or local authority agrees to return that equipment
6 or to repay that grant or subsidy to the Federal Govern-
7 ment: *Provided further*, That no funds under this Act may
8 be used to electronically retrieve information gathered pur-
9 suant to 18 U.S.C. 923(g)(4) by name or any personal
10 identification code.

11 UNITED STATES CUSTOMS SERVICE

12 SALARIES AND EXPENSES

13 For necessary expenses of the United States Customs
14 Service, including purchase and lease of up to 1,050 motor
15 vehicles of which 550 are for replacement only and of
16 which 1,030 are for police-type use and commercial oper-
17 ations; hire of motor vehicles; contracting with individuals
18 for personal services abroad; not to exceed \$30,000 for
19 official reception and representation expenses; and awards
20 of compensation to informers, as authorized by any Act
21 enforced by the United States Customs Service,
22 \$1,638,065,000, of which such sums as become available
23 in the Customs User Fee Account, except sums subject
24 to section 13031(f)(3) of the Consolidated Omnibus Budg-
25 et Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall

1 be derived from that Account; of the total, not to exceed
2 \$150,000 shall be available for payment for rental space
3 in connection with preclearance operations, not to exceed
4 \$4,000,000 shall be available until expended for research,
5 not to exceed \$5,000,000 shall be available until expended
6 for conducting special operations pursuant to 19 U.S.C.
7 2081, and up to \$8,000,000 shall be available until ex-
8 pended for the procurement of automation infrastructure
9 items, including hardware, software, and installation: *Pro-*
10 *vided further*, That uniforms may be purchased without
11 regard to the general purchase price limitation for the cur-
12 rent fiscal year: *Provided further*, That notwithstanding
13 any other provision of law, the fiscal year aggregate over-
14 time limitation prescribed in subsection 5(c)(1) of the Act
15 of February 13, 1911 (19 U.S.C. 261 and 267) shall be
16 \$30,000: *Provided further*, That \$7,000,000 of these funds
17 shall not be available for obligation until September 30,
18 1999.

19 OPERATION AND MAINTENANCE, AIR AND MARINE
20 INTERDICTION PROGRAMS

21 For expenses, not otherwise provided for, necessary
22 for the operation and maintenance of marine vessels, air-
23 craft, and other related equipment of the Air and Marine
24 Programs, including operational training and mission-re-
25 lated travel, and rental payments for facilities occupied by
26 the air or marine interdiction and demand reduction pro-

1 grams, the operations of which include the following: the
2 interdiction of narcotics and other goods; the provision of
3 support to Customs and other Federal, State, and local
4 agencies in the enforcement or administration of laws en-
5 forced by the Customs Service; and, at the discretion of
6 the Commissioner of Customs, the provision of assistance
7 to Federal, State, and local agencies in other law enforce-
8 ment and emergency humanitarian efforts, \$100,688,000,
9 which shall remain available until expended: *Provided*,
10 That no aircraft or other related equipment, with the ex-
11 ception of aircraft which is one of a kind and has been
12 identified as excess to Customs requirements and aircraft
13 which has been damaged beyond repair, shall be trans-
14 ferred to any other Federal agency, department, or office
15 outside of the Department of the Treasury, during fiscal
16 year 1999 without the prior approval of the Committees
17 on Appropriations.

18 HARBOR MAINTENANCE FEE COLLECTION

19 (INCLUDING TRANSFER OF FUNDS)

20 For administrative expenses related to the collection
21 of the Harbor Maintenance Fee, pursuant to Public Law
22 103–182, \$3,000,000, to be derived from the Harbor
23 Maintenance Trust Fund and to be transferred to and
24 merged with the Customs “Salaries and Expenses” ac-
25 count for such purposes.

1 BUREAU OF THE PUBLIC DEBT

2 ADMINISTERING THE PUBLIC DEBT

3 For necessary expenses connected with any public-
4 debt issues of the United States, \$176,500,000, of which
5 not to exceed \$2,500 shall be available for official recep-
6 tion and representation expenses, and of which not to ex-
7 ceed \$2,000,000 shall remain available until September
8 30, 2001 for information systems modernization initia-
9 tives: *Provided*, That the sum appropriated herein from
10 the General Fund for fiscal year 1999 shall be reduced
11 by not more than \$4,400,000 as definitive security issue
12 fees and Treasury Direct Investor Account Maintenance
13 fees are collected, so as to result in a final fiscal year 1999
14 appropriation from the General Fund estimated at
15 \$172,100,000, and in addition, \$20,000, to be derived
16 from the Oil Spill Liability Trust Fund to reimburse the
17 Bureau for administrative and personnel expenses for fi-
18 nancial management of the Fund, as authorized by section
19 102 of Public Law 101–380: *Provided further*, That not-
20 withstanding any other provisions of law, effective upon
21 enactment and thereafter, the Bureau of the Public Debt
22 shall be fully and directly reimbursed by the funds de-
23 scribed in section 104 of Public Law 101–136 (103 Stat.
24 789) for costs and services performed by the Bureau in
25 the administration of such funds.

1 INTERNAL REVENUE SERVICE
2 PROCESSING, ASSISTANCE, AND MANAGEMENT

3 For necessary expenses of the Internal Revenue Serv-
4 ice for tax return processing; revenue accounting; tax law
5 and account assistance to taxpayers by telephone and cor-
6 respondence; programs to match information returns and
7 tax returns; management services; rent and utilities; and
8 inspection; including purchase (not to exceed 150 for re-
9 placement only for police-type use) and hire of passenger
10 motor vehicles (31 U.S.C. 1343(b)); and services as au-
11 thorized by 5 U.S.C. 3109, at such rates as may be deter-
12 mined by the Commissioner, \$3,025,013,000, of which up
13 to \$3,700,000 shall be for the Tax Counseling for the El-
14 derly Program, and of which not to exceed \$25,000 shall
15 be for official reception and representation expenses.

16 TAX LAW ENFORCEMENT

17 For necessary expenses of the Internal Revenue Serv-
18 ice for determining and establishing tax liabilities; provid-
19 ing litigation support; issuing technical rulings; examining
20 employee plans and exempt organizations; conducting
21 criminal investigation and enforcement activities; securing
22 unfiled tax returns; collecting unpaid accounts; compiling
23 statistics of income; and conducting compliance research;
24 including purchase (for police-type use, not to exceed 850)
25 and hire of passenger motor vehicles (31 U.S.C. 1343(b)),
26 and services as authorized by 5 U.S.C. 3109, at such rates

1 as may be determined by the Commissioner,
2 \$3,164,189,000.

3 EARNED INCOME TAX CREDIT COMPLIANCE INITIATIVE

4 For funding essential earned income tax credit com-
5 pliance and error reduction initiatives pursuant to section
6 5702 of the Balanced Budget Act of 1997 (Public Law
7 105–33), \$143,000,000, of which not to exceed
8 \$10,000,000 may be used to reimburse the Social Security
9 Administration for the costs of implementing section 1090
10 of the Taxpayer Relief Act of 1997.

11 INFORMATION SYSTEMS

12 For necessary expenses of the Internal Revenue Serv-
13 ice for information systems and telecommunications sup-
14 port, including developmental information systems and
15 operational information systems; the hire of passenger
16 motor vehicles (31 U.S.C. 1343(b)); and services as au-
17 thorized by 5 U.S.C. 3109, at such rates as may be deter-
18 mined by the Commissioner, \$1,224,032,000, which shall
19 be available until September 30, 2000, and of which
20 \$125,000,000 shall be available only for improvements to
21 customer service and restructuring and reform of the In-
22 ternal Revenue Service.

23 INFORMATION TECHNOLOGY INVESTMENTS

24 For necessary expenses of the Internal Revenue Serv-
25 ice, \$210,000,000, to remain available until expended, for
26 the capital asset acquisition of information technology sys-

1 tems, including management and related contractual costs
 2 of such acquisition, and including contractual costs associ-
 3 ated with operations authorized by 5 U.S.C. 3109: *Pro-*
 4 *vided*, That none of these funds is available for obligation
 5 until September 30, 1999: *Provided further*, That none of
 6 these funds shall be obligated until the Internal Revenue
 7 Service and the Department of the Treasury submit to
 8 Congress for approval, a plan for expenditure that: (1) im-
 9 plements the Internal Revenue Service's Modernization
 10 Blueprint submitted to Congress on May 15, 1997; (2)
 11 meets the information systems investment guidelines es-
 12 tablished by the Office of Management and Budget and
 13 in the fiscal year 1998 budget; (3) is reviewed and ap-
 14 proved by the Office of Management and Budget, the De-
 15 partment of the Treasury's IRS Management Board, and
 16 is reviewed by the General Accounting Office; (4) meets
 17 the requirements of the May 15, 1997 Internal Revenue
 18 Service's Systems Life Cycle program; and (5) is in com-
 19 pliance with acquisition rules, requirements, guidelines,
 20 and systems acquisition management practices of the Fed-
 21 eral Government.

22 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

23 SERVICE

24 SECTION 101. Not to exceed 5 percent of any appro-
 25 priation made available in this Act to the Internal Revenue
 26 Service may be transferred to any other Internal Revenue

1 Service appropriation upon the advance approval of the
2 House and Senate Committees on Appropriations.

3 SEC. 102. The Internal Revenue Service shall main-
4 tain a training program to ensure that Internal Revenue
5 Service employees are trained in taxpayers' rights, in deal-
6 ing courteously with the taxpayers, and in cross-cultural
7 relations.

8 SEC. 103. The funds provided in this Act for the In-
9 ternal Revenue Service shall be used to provide, as a mini-
10 mum, the fiscal year 1995 level of service, staffing, and
11 funding for Taxpayer Services.

12 SEC. 104. None of the funds appropriated by this
13 title shall be used in connection with the collection of any
14 underpayment of any tax imposed by the Internal Revenue
15 Code of 1986 unless the conduct of officers and employees
16 of the Internal Revenue Service in connection with such
17 collection, including any private sector employees under
18 contract to the Internal Revenue Service, complies with
19 subsection (a) of section 805 (relating to communications
20 in connection with debt collection), and section 806 (relat-
21 ing to harassment or abuse), of the Fair Debt Collection
22 Practices Act (15 U.S.C. 1692).

23 SEC. 105. The Internal Revenue Service shall insti-
24 tute and enforce policies and procedures which will safe-
25 guard the confidentiality of taxpayer information.

1 SEC. 106. Funds made available by this or any other
2 Act to the Internal Revenue Service shall be available for
3 improved facilities and increased manpower to provide suf-
4 ficient and effective 1–800 help line for taxpayers. The
5 Commissioner shall continue to make the improvement of
6 the Internal Revenue Service 1–800 help line service a pri-
7 ority and allocate resources necessary to increase phone
8 lines and staff to improve the Internal Revenue Service
9 1–800 help line service.

10 UNITED STATES SECRET SERVICE

11 SALARIES AND EXPENSES

12 For necessary expenses of the United States Secret
13 Service, including purchase of not to exceed 739 vehicles
14 for police-type use, of which 675 shall be for replacement
15 only, and hire of passenger motor vehicles; hire of aircraft;
16 training and assistance requested by State and local gov-
17 ernments, which may be provided without reimbursement;
18 services of expert witnesses at such rates as may be deter-
19 mined by the Director; rental of buildings in the District
20 of Columbia, and fencing, lighting, guard booths, and
21 other facilities on private or other property not in Govern-
22 ment ownership or control, as may be necessary to per-
23 form protective functions; for payment of per diem and/
24 or subsistence allowances to employees where a protective
25 assignment during the actual day or days of the visit of

1 a protectee require an employee to work 16 hours per day
2 or to remain overnight at his or her post of duty; the con-
3 ducting of and participating in firearms matches; presen-
4 tation of awards; for travel of Secret Service employees
5 on protective missions without regard to the limitations
6 on such expenditures in this or any other Act if approval
7 is obtained in advance from the Committees on Appropria-
8 tions; for repairs, alterations, and minor construction at
9 the James J. Rowley Secret Service Training Center; for
10 research and development; for making grants to conduct
11 behavioral research in support of protective research and
12 operations; not to exceed \$20,000 for official reception
13 and representation expenses; not to exceed \$50,000 to pro-
14 vide technical assistance and equipment to foreign law en-
15 forcement organizations in counterfeit investigations; for
16 payment in advance for commercial accommodations as
17 may be necessary to perform protective functions; and for
18 uniforms without regard to the general purchase price lim-
19 itation for the current fiscal year, \$594,657,000.

20 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND
21 RELATED EXPENSES

22 For necessary expenses of construction, repair, alter-
23 ation, and improvement of facilities, \$6,445,000, to re-
24 main available until expended.

1 GENERAL PROVISIONS—DEPARTMENT OF THE
2 TREASURY

3 SEC. 110. Any obligation or expenditure by the Sec-
4 retary of the Treasury in connection with law enforcement
5 activities of a Federal agency or a Department of the
6 Treasury law enforcement organization in accordance with
7 31 U.S.C. 9703(g)(4)(B) from unobligated balances re-
8 maining in the Fund on September 30, 1998, shall be
9 made in compliance with reprogramming guidelines.

10 SEC. 111. Appropriations to the Department of the
11 Treasury in this Act shall be available for uniforms or al-
12 lowances therefor, as authorized by law (5 U.S.C. 5901),
13 including maintenance, repairs, and cleaning; purchase of
14 insurance for official motor vehicles operated in foreign
15 countries; purchase of motor vehicles without regard to the
16 general purchase price limitations for vehicles purchased
17 and used overseas for the current fiscal year; entering into
18 contracts with the Department of State for the furnishing
19 of health and medical services to employees and their de-
20 pendants serving in foreign countries; and services author-
21 ized by 5 U.S.C. 3109.

22 SEC. 112. The funds provided to the Bureau of Alco-
23 hol, Tobacco and Firearms for fiscal year 1999 in this
24 Act for the enforcement of the Federal Alcohol Adminis-
25 tration Act shall be expended in a manner so as not to

1 diminish enforcement efforts with respect to section 105
2 of the Federal Alcohol Administration Act.

3 SEC. 113. Not to exceed 2 percent of any appropria-
4 tions in this Act made available to the Federal Law En-
5 forcement Training Center, Financial Crimes Enforce-
6 ment Network, Bureau of Alcohol, Tobacco and Firearms,
7 United States Customs Service, and United States Secret
8 Service may be transferred between such appropriations
9 upon the advance approval of the Committees on Appro-
10 priations. No transfer may increase or decrease any such
11 appropriation by more than 2 percent.

12 SEC. 114. Not to exceed 2 percent of any appropria-
13 tions in this Act made available to the Departmental Of-
14 fices, Office of Inspector General, Financial Management
15 Service, and Bureau of the Public Debt, may be trans-
16 ferred between such appropriations upon the advance ap-
17 proval of the Committees on Appropriations. No transfer
18 may increase or decrease any such appropriation by more
19 than 2 percent.

20 SEC. 115. The Secretary is authorized to promote the
21 benefits of and encourage the use of electronic tax admin-
22 istration programs, as they become available, through the
23 use of mass communications and other means. Addition-
24 ally, the Secretary may implement procedures to pay ap-
25 propriate incentives to commercial concerns for electronic

1 filing services: *Provided*, That such payment may not be
2 made unless the electronic filing service is provided with-
3 out charge to the taxpayer whose return is so filed: *Pro-*
4 *vided further*, That the Internal Revenue Service shall as-
5 sure the security of all electronic transmissions and the
6 full protection of the privacy of taxpayer data.

7 SEC. 116. (a) The Bureau of Engraving and Printing
8 and the Department of the Treasury shall not award a
9 contract for Solicitation No. BEP-97-13 (TN) until such
10 time as the Committee on Banking and Financial Services
11 and the Committee on Appropriations of the House of
12 Representatives authorize the Bureau of Engraving and
13 Printing, in writing, to proceed with the award of Solicita-
14 tion No. BEP-97-13 (TN).

15 (b) The Bureau of Engraving and Printing may ex-
16 tend the distinctive currency paper “bridge” contract
17 (TEP-97-10) up to 6 (six) months beginning on the date
18 the contract expires, if, by such date, the Congress has
19 not authorized the awarding of a new contract or if the
20 Congress takes action based on the report submitted by
21 the General Accounting Office pursuant to section
22 9003(a) of Public Law 105-18. The Bureau of Engraving
23 and Printing must notify Congress prior to taking any ac-
24 tion with respect to the extension of TEP-97-10.

1 TITLE II—POSTAL SERVICE

2 PAYMENT TO THE POSTAL SERVICE FUND

3 For payment to the Postal Service Fund for revenue
4 forgone on free and reduced rate mail, pursuant to sub-
5 sections (c) and (d) of section 2401 of title 39, United
6 States Code, \$71,195,000: *Provided*, That mail for over-
7 seas voting and mail for the blind shall continue to be free:
8 *Provided further*, That 6-day delivery and rural delivery
9 of mail shall continue at not less than the 1983 level: *Pro-*
10 *vided further*, That none of the funds made available to
11 the Postal Service by this Act shall be used to implement
12 any rule, regulation, or policy of charging any officer or
13 employee of any State or local child support enforcement
14 agency, or any individual participating in a State or local
15 program of child support enforcement, a fee for informa-
16 tion requested or provided concerning an address of a
17 postal customer: *Provided further*, That none of the funds
18 provided in this Act shall be used to consolidate or close
19 small rural and other small post offices in the fiscal year
20 ending on September 30, 1999.

1 TITLE III—EXECUTIVE OFFICE OF THE PRESI-
2 DENT AND FUNDS APPROPRIATED TO THE
3 PRESIDENT

4 COMPENSATION OF THE PRESIDENT AND THE WHITE
5 HOUSE OFFICE

6 COMPENSATION OF THE PRESIDENT

7 For compensation of the President, including an ex-
8 pense allowance at the rate of \$50,000 per annum as au-
9 thorized by 3 U.S.C. 102, \$250,000: *Provided*, That none
10 of the funds made available for official expenses shall be
11 expended for any other purpose and any unused amount
12 shall revert to the Treasury pursuant to section 1552 of
13 title 31, United States Code: *Provided further*, That none
14 of the funds made available for official expenses shall be
15 considered as taxable to the President.

16 SALARIES AND EXPENSES

17 For necessary expenses for the White House as au-
18 thorized by law, including not to exceed \$3,850,000 for
19 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;
20 subsistence expenses as authorized by 3 U.S.C. 105, which
21 shall be expended and accounted for as provided in that
22 section; hire of passenger motor vehicles, newspapers,
23 periodicals, teletype news service, and travel (not to exceed
24 \$100,000 to be expended and accounted for as provided
25 by 3 U.S.C. 103); and not to exceed \$19,000 for official
26 entertainment expenses, to be available for allocation with-

1 in the Executive Office of the President, \$52,344,000:
 2 *Provided*, That \$10,100,000 of the funds appropriated
 3 shall be available for reimbursements to the White House
 4 Communications Agency.

5 EXECUTIVE RESIDENCE AT THE WHITE HOUSE
 6 OPERATING EXPENSES

7 For the care, maintenance, repair and alteration, re-
 8 furnishing, improvement, heating, and lighting, including
 9 electric power and fixtures, of the Executive Residence at
 10 the White House and official entertainment expenses of
 11 the President, \$8,061,000, to be expended and accounted
 12 for as provided by 3 U.S.C. 105, 109, 110, and 112–114:
 13 *Provided*, That such amount shall not be available for ex-
 14 penses for domestic staff overtime.

15 REIMBURSABLE EXPENSES

16 For the reimbursable expenses of the Executive Resi-
 17 dence at the White House, such sums as may be nec-
 18 essary: *Provided*, That all reimbursable operating expenses
 19 of the Executive Residence shall be made in accordance
 20 with the provisions of this paragraph: *Provided further*,
 21 That, notwithstanding any other provision of law, such
 22 amount for reimbursable operating expenses shall be the
 23 exclusive authority of the Executive Residence to incur ob-
 24 ligations and to receive offsetting collections, for such ex-
 25 penses: *Provided further*, That the Executive Residence
 26 shall require each person sponsoring a reimbursable politi-

1 cal event to pay in advance an amount equal to the esti-
2 mated cost of the event, and all such advance payments
3 shall be credited to this account and remain available until
4 expended: *Provided further*, That the Executive Residence
5 shall require the national committee of the political party
6 of the President to maintain on deposit \$25,000, to be
7 separately accounted for and available for expenses relat-
8 ing to reimbursable political events sponsored by such
9 committee during such fiscal year: *Provided further*, That
10 the Executive Residence shall ensure that a written notice
11 of any amount owed for a reimbursable operating expense
12 under this paragraph is submitted to the person owing
13 such amount within 60 days after such expense is in-
14 curred, and that such amount is collected within 30 days
15 after the submission of such notice: *Provided further*, That
16 the Executive Residence shall charge interest and assess
17 penalties and other charges on any such amount that is
18 not reimbursed within such 30 days, in accordance with
19 the interest and penalty provisions applicable to an out-
20 standing debt on a United States Government claim under
21 section 3717 of title 31, United States Code: *Provided fur-*
22 *ther*, That each such amount that is reimbursed, and any
23 accompanying interest and charges, shall be deposited in
24 the Treasury as miscellaneous receipts: *Provided further*,
25 That the Executive Residence shall prepare and submit

1 to the Committees on Appropriations, by not later than
2 90 days after the end of the fiscal year covered by this
3 Act, a report setting forth the reimbursable operating ex-
4 penses of the Executive Residence during the preceding
5 fiscal year, including the total amount of such expenses,
6 the amount of such total that consists of reimbursable offi-
7 cial and ceremonial events, the amount of such total that
8 consists of reimbursable political events, and the portion
9 of each such amount that has been reimbursed as of the
10 date of the report: *Provided further*, That the Executive
11 Residence shall maintain a system for the tracking of ex-
12 penses related to reimbursable events within the Executive
13 Residence that includes a standard for the classification
14 of any such expense as political or nonpolitical: *Provided*
15 *further*, That no provision of this paragraph may be con-
16 strued to exempt the Executive Residence from any other
17 applicable requirement of subchapter I or II of chapter
18 37 of title 31, United States Code.

19 SPECIAL ASSISTANCE TO THE PRESIDENT AND THE
20 OFFICIAL RESIDENCE OF THE VICE PRESIDENT
21 SALARIES AND EXPENSES

22 For necessary expenses to enable the Vice President
23 to provide assistance to the President in connection with
24 specially assigned functions; services as authorized by 5
25 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-

1 penses as authorized by 3 U.S.C. 106, which shall be ex-
2 pended and accounted for as provided in that section; and
3 hire of passenger motor vehicles, \$3,512,000.

4 OPERATING EXPENSES

5 (INCLUDING TRANSFER OF FUNDS)

6 For the care, operation, refurnishing, improvement,
7 heating, and lighting, including electric power and fix-
8 tures, of the official residence of the Vice President; the
9 hire of passenger motor vehicles; and not to exceed
10 \$90,000 for official entertainment expenses of the Vice
11 President, to be accounted for solely on his certificate,
12 \$334,000: *Provided*, That advances or repayments or
13 transfers from this appropriation may be made to any de-
14 partment or agency for expenses of carrying out such ac-
15 tivities.

16 COUNCIL OF ECONOMIC ADVISERS

17 SALARIES AND EXPENSES

18 For necessary expenses of the Council in carrying out
19 its functions under the Employment Act of 1946 (15
20 U.S.C. 1021 et seq.), \$3,666,000.

21 OFFICE OF POLICY DEVELOPMENT

22 SALARIES AND EXPENSES

23 For necessary expenses of the Office of Policy Devel-
24 opment, including services as authorized by 5 U.S.C. 3109
25 and 3 U.S.C. 107, \$4,032,000.

1 NATIONAL SECURITY COUNCIL

2 SALARIES AND EXPENSES

3 For necessary expenses of the National Security
4 Council, including services as authorized by 5 U.S.C.
5 3109, \$6,806,000.

6 OFFICE OF ADMINISTRATION

7 SALARIES AND EXPENSES

8 For necessary expenses of the Office of Administra-
9 tion, including services as authorized by 5 U.S.C. 3109
10 and 3 U.S.C. 107, and hire of passenger motor vehicles,
11 \$28,350,000.

12 OFFICE OF MANAGEMENT AND BUDGET

13 SALARIES AND EXPENSES

14 For necessary expenses of the Office of Management
15 and Budget, including hire of passenger motor vehicles
16 and services as authorized by 5 U.S.C. 3109,
17 \$59,017,000, of which not to exceed \$5,000,000 shall be
18 available to carry out the provisions of chapter 35 of title
19 44, United States Code: *Provided*, That, of the amounts
20 appropriated, not to exceed \$5,229,000 shall be available
21 to the Office of Information and Regulatory Affairs, of
22 which \$1,200,000 shall not be obligated until the Office
23 of Management and Budget submits a report to the House
24 Committee on Appropriations and the House Committee
25 on Government Reform and Oversight that: (1) identifies

1 annual five percent reductions in paperwork expected in
2 fiscal year 1999 and fiscal year 2000; and (2) issues guid-
3 ance on the requirements of 5 U.S.C. 801(a)(1) and (3),
4 804(3), and 808(2), including a standard new rule report-
5 ing form for use under section 801(a)(1)(A)–(B): *Provided*
6 *further*, That, as provided in 31 U.S.C. 1301(a), appro-
7 priations shall be applied only to the objects for which ap-
8 propriations were made except as otherwise provided by
9 law: *Provided further*, That none of the funds appropriated
10 in this Act for the Office of Management and Budget may
11 be used for the purpose of reviewing any agricultural mar-
12 keting orders or any activities or regulations under the
13 provisions of the Agricultural Marketing Agreement Act
14 of 1937 (7 U.S.C. 601 et seq.): *Provided further*, That
15 none of the funds made available for the Office of Manage-
16 ment and Budget by this Act may be expended for the
17 altering of the transcript of actual testimony of witnesses,
18 except for testimony of officials of the Office of Manage-
19 ment and Budget, before the House and Senate Commit-
20 tees on Appropriations or the House and Senate Commit-
21 tees on Veterans’ Affairs or their subcommittees: *Provided*
22 *further*, That the preceding shall not apply to printed hear-
23 ings released by the House and Senate Committees on Ap-
24 propriations or the House and Senate Committees on Vet-
25 erans’ Affairs.

1 OFFICE OF NATIONAL DRUG CONTROL POLICY
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of the Office of National
5 Drug Control Policy; for research activities pursuant to
6 title I of Public Law 100–690; not to exceed \$20,000 for
7 official reception and representation expenses; and for par-
8 ticipation in joint projects or in the provision of services
9 on matters of mutual interest with nonprofit, research, or
10 public organizations or agencies, with or without reim-
11 bursement, \$36,442,000, of which \$17,000,000 shall re-
12 main available until expended, consisting of \$1,000,000
13 for policy research and evaluation and \$16,000,000 for the
14 Counter-Drug Technology Assessment Center for counter-
15 narcotics research and development projects: *Provided*,
16 That the \$16,000,000 for the Counter-Drug Technology
17 Assessment Center shall be available for transfer to other
18 Federal departments or agencies: *Provided further*, That
19 the Office is authorized to accept, hold, administer, and
20 utilize gifts, both real and personal, public and private,
21 without fiscal year limitation, for the purpose of aiding
22 or facilitating the work of the Office.

1 FEDERAL DRUG CONTROL PROGRAMS

2 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of the Office of National
5 Drug Control Policy's High Intensity Drug Trafficking
6 Areas Program, \$162,007,000 for drug control activities
7 consistent with the approved strategy for each of the des-
8 ignated High Intensity Drug Trafficking Areas, of which
9 no less than \$81,007,000 shall be transferred to State and
10 local entities for drug control activities, which shall be ob-
11 ligated within 120 days of the date of enactment of this
12 Act and up to \$81,000,000 may be transferred to Federal
13 agencies and departments at a rate to be determined by
14 the Director: *Provided*, That funding shall be provided at
15 no less than the fiscal year 1998 level for those High In-
16 tensity Drug Trafficking Areas that had been designated
17 by the Director of the Office of National Drug Control
18 Policy on or before February 2, 1994: *Provided further*,
19 That any new High Intensity Drug Trafficking Areas to
20 be designated shall be funded from within the existing ap-
21 propriation for this account.

22 SPECIAL FORFEITURE FUND

23 (INCLUDING TRANSFER OF FUNDS)

24 For activities to support a national anti-drug cam-
25 paign for youth, and other purposes, authorized by Public
26 Law 100-690, as amended, \$215,000,000, to remain

1 available until expended: *Provided*, That such funds may
2 be transferred to other Federal departments and agencies
3 to carry out such activities: *Provided further*, That, of the
4 funds provided in this paragraph, \$195,000,000 shall be
5 to support a national media campaign to reduce and pre-
6 vent drug use among young Americans: *Provided further*,
7 That none of the funds provided for the support of a na-
8 tional media campaign may be obligated for the following
9 purposes: to supplant current anti-drug community based
10 coalitions; to supplant current pro bono public service time
11 donated by national and local broadcasting networks; for
12 partisan political purposes; or to fund media campaigns
13 that feature any elected officials, persons seeking elected
14 office, cabinet-level officials, or other Federal officials em-
15 ployed pursuant to Schedule C of title 5, Code of Federal
16 Regulations, section 213, absent advance notice to the
17 Committees on Appropriations and the Senate Judiciary
18 Committee: *Provided further*, That funds provided for the
19 support of a national media campaign may be used to fund
20 the purchase of media time and space, talent re-use pay-
21 ments, reimbursement of out of pocket advertising produc-
22 tion costs for agencies that provide all creative develop-
23 ment on a pro bono basis, and the negotiated fee for the
24 contract buying agency: *Provided further*, That the Direc-
25 tor of the Office of National Drug Control Policy shall

1 report to Congress quarterly on the obligation of funds
 2 as well as on the specific parameters of the national media
 3 campaign, and shall report to Congress within one year
 4 on the effectiveness of the national media campaign based
 5 upon the measurable outcomes provided to Congress pre-
 6 viously: *Provided further*, That, of the funds provided in
 7 this paragraph, \$20,000,000 shall be to continue a pro-
 8 gram of matching grants to drug-free communities, as au-
 9 thorized in the Drug-Free Communities Act of 1997.

10 This title may be cited as the “Executive Office Ap-
 11 propriations Act, 1999”.

12 TITLE IV—INDEPENDENT AGENCIES

13 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE

14 BLIND OR SEVERELY DISABLED

15 SALARIES AND EXPENSES

16 For necessary expenses of the Committee for Pur-
 17 chase From People Who Are Blind or Severely Disabled
 18 established by the Act of June 23, 1971, Public Law 92–
 19 28, \$2,464,000.

20 FEDERAL ELECTION COMMISSION

21 SALARIES AND EXPENSES

22 For necessary expenses to carry out the provisions
 23 of the Federal Election Campaign Act of 1971, as amend-
 24 ed, \$33,700,000 (increased by \$2,800,000, to be used for
 25 enforcement activities), of which no less than \$4,402,500

1 shall be available for internal automated data processing
 2 systems, and of which not to exceed \$5,000 shall be avail-
 3 able for reception and representation expenses: *Provided*,
 4 That of the amounts appropriated for salaries and ex-
 5 penses, \$1,120,000 may not be obligated until the Federal
 6 Election Commission submits a plan for approval to the
 7 House Committee on Appropriations for the expenditure
 8 of such funds.

9 FEDERAL LABOR RELATIONS AUTHORITY

10 SALARIES AND EXPENSES

11 For necessary expenses to carry out functions of the
 12 Federal Labor Relations Authority, pursuant to Reorga-
 13 nization Plan Numbered 2 of 1978, and the Civil Service
 14 Reform Act of 1978, including services authorized by 5
 15 U.S.C. 3109, including hire of experts and consultants,
 16 hire of passenger motor vehicles, and rental of conference
 17 rooms in the District of Columbia and elsewhere,
 18 \$22,586,000: *Provided*, That public members of the Fed-
 19 eral Service Impasses Panel may be paid travel expenses
 20 and per diem in lieu of subsistence as authorized by law
 21 (5 U.S.C. 5703) for persons employed intermittently in
 22 the Government service, and compensation as authorized
 23 by 5 U.S.C. 3109: *Provided further*, That notwithstanding
 24 31 U.S.C. 3302, funds received from fees charged to non-
 25 Federal participants at labor-management relations con-

ferences shall be credited to and merged with this account,
to be available without further appropriation for the costs
of carrying out these conferences.

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING TRANSFER OF FUNDS)

For additional expenses necessary to carry out the
purpose of the Federal Buildings Fund established pursu-
ant to section 210(f) of the Federal Property and Admin-
istrative Services Act of 1949 (40 U.S.C. 490(f)),
\$482,100,000 (reduced by \$2,800,000), to be deposited
into the Fund. The revenues and collections deposited into
the Fund shall be available for necessary expenses of real
property management and related activities not otherwise
provided for, including operation, maintenance, and pro-
tection of federally owned and leased buildings; rental of
buildings in the District of Columbia; restoration of leased
premises; moving governmental agencies (including space
adjustments and telecommunications relocation expenses)
in connection with the assignment, allocation, and transfer
of space; contractual services incident to cleaning or serv-
icing buildings, and moving; repair and alteration of feder-
ally owned buildings, including grounds, approaches, and
appurtenances; care and safeguarding of sites; mainte-
nance, preservation, demolition, and equipment; acquisi-

1 tion of buildings and sites by purchase, condemnation, or
2 as otherwise authorized by law; acquisition of options to
3 purchase buildings and sites; conversion and extension of
4 federally owned buildings; preliminary planning and de-
5 sign of projects by contract or otherwise; construction of
6 new buildings (including equipment for such buildings);
7 and payment of principal, interest, and any other obliga-
8 tions for public buildings acquired by installment purchase
9 and purchase contract; in the aggregate amount of
10 \$5,626,928,000 (reduced by \$2,800,000), of which: (1)
11 \$527,100,000 shall remain available until expended for
12 construction of additional projects at locations and at
13 maximum construction improvement costs (including
14 funds for sites and expenses and associated design and
15 construction services); (2) \$655,031,000, of which
16 \$19,000,000 shall be available for obligation on September
17 30, 1999, shall remain available until expended for repairs
18 and alterations, which includes associated design and con-
19 struction services, for the following projects and activities:

20 Repairs and alterations:

21 California:

22 San Francisco, Appraisers Building

23 District of Columbia:

24 Federal Office Building, 10B

1 Interstate Commerce Commission, Con-
2 necting Wing Complex, Customs Buildings,
3 Phase 3/3

4 Old Executive Office Building

5 State Department Building, Phase I

6 Colorado:

7 Lakewood, Denver Federal Center, Build-
8 ing 25

9 New York:

10 Brookhaven, Internal Revenue Service,
11 Service Center

12 New York, U.S. Courthouse, 40 Foley
13 Square

14 Pennsylvania:

15 Philadelphia, Byrne-Green, Federal Build-
16 ing-U.S. Courthouse

17 Virginia:

18 Reston, J.W. Powell Building

19 Nationwide:

20 Chlorofluorocarbons Program

21 Energy Program

22 Design Program

23 Basic Repairs and Alterations:

24 *Provided further*, That additional projects for which
25 prospectuses have been fully approved may be funded

1 under this category only if advance approval is obtained
2 from the Committees on Appropriations: *Provided further*,
3 That the amounts provided in this or any prior Act for
4 “Repairs and Alterations” may be used to fund costs asso-
5 ciated with implementing security improvements to build-
6 ings: *Provided further*, That the difference between the
7 funds appropriated and expended on any projects in this
8 or any prior Act, under the heading “Repairs and Alter-
9 ations”, may be transferred to Basic Repairs and Alter-
10 ations or used to fund authorized increases in prospectus
11 projects: *Provided further*, That all funds for repairs and
12 alterations prospectus projects shall expire on September
13 30, 2000, and remain in the Federal Buildings Fund, ex-
14 cept funds for projects as to which funds for design or
15 other funds have been obligated in whole or in part prior
16 to such date: *Provided further*, That \$5,700,000 of the
17 funds provided under this heading in Public Law 103–329
18 for the Holtsville, New York, IRS Service Center shall re-
19 main available until September 30, 1999: *Provided further*,
20 That the amount provided in this or any prior Act for
21 Basic Repairs and Alterations may be used to pay claims
22 against the Government arising from any projects under
23 the heading “Repairs and Alterations” or used to fund
24 authorized increases in prospectus projects; (3)
25 \$215,764,000 for installment acquisition payments includ-

1 ing payments on purchase contracts, which shall remain
2 available until expended; (4) \$2,583,261,000 (reduced by
3 \$2,800,000) for rental of space, which shall remain avail-
4 able until expended; and (5) \$1,554,772,000 for building
5 operations, of which \$223,000,000 shall be available for
6 obligation on September 30, 1999, which shall remain
7 available until expended: *Provided further*, That funds
8 available to the General Services Administration shall not
9 be available for expenses of any construction, repair, alter-
10 ation and acquisition project for which a prospectus, if re-
11 quired by the Public Buildings Act of 1959 (40 U.S.C.
12 601 et seq.), has not been approved, except that necessary
13 funds may be expended for each project for required ex-
14 penses of the development of a proposed prospectus: *Pro-*
15 *vided further*, That for the purposes of this authorization,
16 and hereafter, buildings constructed pursuant to the pur-
17 chase contract authority of the Public Buildings Amend-
18 ments of 1972 (40 U.S.C. 602a), buildings occupied pur-
19 suant to installment purchase contracts, and buildings
20 under the control of another department or agency where
21 alterations of such buildings are required in connection
22 with the moving of such other department or agency from
23 buildings then, or thereafter to be, under the control of
24 the General Services Administration shall be considered
25 to be federally owned buildings: *Provided further*, That

1 funds available in the Federal Buildings Fund may be ex-
2 pended for emergency repairs when advance approval is
3 obtained from the Committees on Appropriations: *Pro-*
4 *vided further*, That amounts necessary to provide reim-
5 bursable special services to other agencies under section
6 210(f)(6) of the Federal Property and Administrative
7 Services Act of 1949 (40 U.S.C. 490(f)(6)), and amounts
8 to provide such reimbursable fencing, lighting, guard
9 booths, and other facilities on private or other property
10 not in Government ownership or control as may be appro-
11 priate to enable the United States Secret Service to per-
12 form its protective functions pursuant to 18 U.S.C. 3056,
13 shall be available from such revenues and collections: *Pro-*
14 *vided further*, That the remaining balances and associated
15 assets and liabilities of the Pennsylvania Avenue Activities
16 account are hereby transferred to the Federal Buildings
17 Fund to be effective October 1, 1998, and all income
18 earned after that effective date that would otherwise have
19 been deposited to the Pennsylvania Avenue Activities ac-
20 count shall thereafter be deposited to the Fund, to be
21 available for the purposes authorized by Public Laws 104–
22 134 and 104–208, notwithstanding subsection 210(f)(2)
23 of the Federal Property and Administrative Services Act
24 of 1949 (40 U.S.C. 490(f)(2)): *Provided further*, That rev-
25 enues and collections and any other sums accruing to the

1 Federal Buildings Fund during fiscal year 1999, excluding
2 reimbursements under section 210(f)(6) of the Federal
3 Property and Administrative Services Act of 1949 (40
4 U.S.C. 490(f)(6)), in excess of \$5,626,928,000 (reduced
5 by \$2,800,000) shall remain in the Fund and shall not
6 be available for expenditure except as authorized in appro-
7 priations Acts.

8 POLICY AND OPERATIONS

9 For expenses authorized by law, not otherwise pro-
10 vided for, for Government-wide policy and oversight activi-
11 ties associated with asset management activities; utiliza-
12 tion and donation of surplus personal property; transpor-
13 tation; procurement and supply; Government-wide and in-
14 ternal responsibilities relating to automated data manage-
15 ment, telecommunications, information resources manage-
16 ment, and related technology activities; utilization survey,
17 deed compliance inspection, appraisal, environmental and
18 cultural analysis, and land use planning functions pertain-
19 ing to excess and surplus real property; agency-wide policy
20 direction; Board of Contract Appeals; accounting, records
21 management, and other support services incident to adju-
22 dication of Indian Tribal Claims by the United States
23 Court of Federal Claims; services as authorized by 5
24 U.S.C. 3109; and not to exceed \$5,000 for official recep-
25 tion and representation expenses, \$108,494,000.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
 3 General and services authorized by 5 U.S.C. 3109,
 4 \$32,000,000: *Provided*, That not to exceed \$10,000 shall
 5 be available for payment for information and detection of
 6 fraud against the Government, including payment for re-
 7 covery of stolen Government property: *Provided further*,
 8 That not to exceed \$2,500 shall be available for awards
 9 to employees of other Federal agencies and private citizens
 10 in recognition of efforts and initiatives resulting in en-
 11 hanced Office of Inspector General effectiveness.

12 ALLOWANCES AND OFFICE STAFF FOR FORMER

13 PRESIDENTS

14 (INCLUDING TRANSFER OF FUNDS)

15 For carrying out the provisions of the Act of August
 16 25, 1958, as amended (3 U.S.C. 102 note), and Public
 17 Law 95-138, \$2,241,000: *Provided*, That the Adminis-
 18 trator of General Services shall transfer to the Secretary
 19 of the Treasury such sums as may be necessary to carry
 20 out the provisions of such Acts.

21 GENERAL PROVISIONS—GENERAL SERVICES

22 ADMINISTRATION

23 SEC. 401. Notwithstanding any other provision of
 24 law, the requirement under section 407 of Public Law
 25 104-208 (110 Stat. 3009-337-38), that the Adminis-
 26 trator of General Services charge user fees for flexiplace

1 telecommuting centers that approximate commercial
2 charges for comparable space and services but in no in-
3 stance less than the amount necessary to pay the cost of
4 establishing and operating such centers, shall not apply
5 to the user fees charged for the period beginning October
6 1, 1996, and ending September 30, 1998, for the tele-
7 commuting centers established as part of a pilot tele-
8 commuting demonstration program in the Washington,
9 D.C. metropolitan area by Public Laws 102-393, 103-
10 123, 103-329, 104-52, and 104-298: *Provided*, That for
11 these centers in the pilot demonstration program for the
12 period beginning October 1, 1998, and ending September
13 30, 2000, the Administrator shall charge fees for Federal
14 agency use of a telecenter based on 50 percent of the Ad-
15 ministrator's annual costs of operating the center, includ-
16 ing the reasonable cost of replacement for furniture, fix-
17 tures, and equipment: *Provided further*, That effective Oc-
18 tober 1, 2000, the Administrator shall charge fees for Fed-
19 eral agency use of the demonstration telecommuting cen-
20 ters based on 100 percent of the annual operating costs,
21 including the reasonable cost of replacement for furniture,
22 fixtures, and equipment: *Provided further*, That, to the ex-
23 tent such user charges do not cover the Administrator's
24 costs in operating these centers, appropriations to the

1 General Service Administration are authorized to reim-
2 burse the Federal Buildings Fund for any loss of revenue.

3 ENVIRONMENTAL DISPUTE RESOLUTION FUND

4 For payment to the Environmental Dispute Resolu-
5 tion Fund to carry out activities authorized in the Envi-
6 ronmental Policy and Conflict Resolution Act of 1997,
7 \$4,250,000, to remain available until expended, of which
8 \$3,000,000 will be for capitalization of the Fund, and
9 \$1,250,000 will be for annual operating expenses.

10 MERIT SYSTEMS PROTECTION BOARD

11 SALARIES AND EXPENSES

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses to carry out functions of the
14 Merit Systems Protection Board pursuant to Reorganiza-
15 tion Plan Numbered 2 of 1978 and the Civil Service Re-
16 form Act of 1978, including services as authorized by 5
17 U.S.C. 3109, rental of conference rooms in the District
18 of Columbia and elsewhere, hire of passenger motor vehi-
19 cles, and direct procurement of survey printing,
20 \$25,805,000, together with not to exceed \$2,430,000 for
21 administrative expenses to adjudicate retirement appeals
22 to be transferred from the Civil Service Retirement and
23 Disability Fund in amounts determined by the Merit Sys-
24 tems Protection Board.

1 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
2 OPERATING EXPENSES

3 For necessary expenses in connection with the admin-
4 istration of the National Archives (including the Informa-
5 tion Security Oversight Office) and records and related ac-
6 tivities, as provided by law, and for expenses necessary
7 for the review and declassification of documents, and for
8 the hire of passenger motor vehicles, \$216,753,000 (re-
9 duced by \$2,000,000) (increased by \$2,000,000): *Pro-*
10 *vided*, That the Archivist of the United States is author-
11 ized to use any excess funds available, from the amount
12 borrowed for construction of the National Archives facil-
13 ity, for expenses necessary to provide adequate storage for
14 holdings.

15 REPAIRS AND RESTORATION

16 For the repair, alteration, and improvement of ar-
17 chives facilities and Presidential Libraries, and to provide
18 adequate storage for holdings, \$10,450,000, to remain
19 available until expended, of which \$2,000,000 is for an
20 architectural and engineering study for the renovation of
21 the Archives I facility and of which \$4,000,000 is for en-
22 casement of the Charters of Freedom.

1 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

2 COMMISSION

3 GRANTS PROGRAM

4 For necessary expenses for allocations and grants for
5 historical publications and records as authorized by 44
6 U.S.C. 2504, \$6,000,000, to remain available until ex-
7 pended.

8 OFFICE OF GOVERNMENT ETHICS

9 SALARIES AND EXPENSES

10 For necessary expenses to carry out functions of the
11 Office of Government Ethics pursuant to the Ethics in
12 Government Act of 1978, and the Ethics Reform Act of
13 1989, including services as authorized by 5 U.S.C. 3109,
14 rental of conference rooms in the District of Columbia and
15 elsewhere, hire of passenger motor vehicles, and not to ex-
16 ceed \$1,500 for official reception and representation ex-
17 penses, \$8,492,000.

18 OFFICE OF PERSONNEL MANAGEMENT

19 SALARIES AND EXPENSES

20 (INCLUDING TRANSFER OF TRUST FUNDS)

21 For necessary expenses to carry out functions of the
22 Office of Personnel Management pursuant to Reorganiza-
23 tion Plan Numbered 2 of 1978 and the Civil Service Re-
24 form Act of 1978, including services as authorized by 5
25 U.S.C. 3109; medical examinations performed for veterans
26 by private physicians on a fee basis; rental of conference

1 rooms in the District of Columbia and elsewhere; hire of
2 passenger motor vehicles; not to exceed \$2,500 for official
3 reception and representation expenses; advances for reim-
4 bursements to applicable funds of the Office of Personnel
5 Management and the Federal Bureau of Investigation for
6 expenses incurred under Executive Order No. 10422 of
7 January 9, 1953, as amended; and payment of per diem
8 and/or subsistence allowances to employees where Voting
9 Rights Act activities require an employee to remain over-
10 night at his or her post of duty, \$85,350,000; and in addi-
11 tion \$91,236,000 for administrative expenses, to be trans-
12 ferred from the appropriate trust funds of the Office of
13 Personnel Management without regard to other statutes,
14 including direct procurement of printed materials, for the
15 retirement and insurance programs: *Provided*, That the
16 provisions of this appropriation shall not affect the author-
17 ity to use applicable trust funds as provided by section
18 8348(a)(1)(B) of title 5, United States Code: *Provided*
19 *further*, That, except as may be consistent with 5 U.S.C.
20 8902a(f)(1) and (i), no payment may be made from the
21 Employees Health Benefits Fund to any physician, hos-
22 pital, or other provider of health care services or supplies
23 who is, at the time such services or supplies are provided
24 to an individual covered under chapter 89 of title 5,
25 United States Code, excluded, pursuant to section 1128

1 or 1128A of the Social Security Act (42 U.S.C. 1320a–
 2 7 through 1320a–7a), from participation in any program
 3 under title XVIII of the Social Security Act (42 U.S.C.
 4 1395 et seq.): *Provided further*, That no part of this ap-
 5 propriation shall be available for salaries and expenses of
 6 the Legal Examining Unit of the Office of Personnel Man-
 7 agement established pursuant to Executive Order No.
 8 9358 of July 1, 1943, or any successor unit of like pur-
 9 pose: *Provided further*, That the President’s Commission
 10 on White House Fellows, established by Executive Order
 11 No. 11183 of October 3, 1964, may, during fiscal year
 12 1999, accept donations of money, property, and personal
 13 services in connection with the development of a publicity
 14 brochure to provide information about the White House
 15 Fellows, except that no such donations shall be accepted
 16 for travel or reimbursement of travel expenses, or for the
 17 salaries of employees of such Commission.

18 OFFICE OF INSPECTOR GENERAL

19 SALARIES AND EXPENSES

20 (INCLUDING TRANSFER OF TRUST FUNDS)

21 For necessary expenses of the Office of Inspector
 22 General in carrying out the provisions of the Inspector
 23 General Act, as amended, including services as authorized
 24 by 5 U.S.C. 3109, hire of passenger motor vehicles,
 25 \$960,000; and in addition, not to exceed \$9,145,000 for
 26 administrative expenses to audit the Office of Personnel

1 Management's retirement and insurance programs, to be
2 transferred from the appropriate trust funds of the Office
3 of Personnel Management, as determined by the Inspector
4 General: *Provided*, That the Inspector General is author-
5 ized to rent conference rooms in the District of Columbia
6 and elsewhere.

7 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES
8 HEALTH BENEFITS

9 For payment of Government contributions with re-
10 spect to retired employees, as authorized by chapter 89
11 of title 5, United States Code, and the Retired Federal
12 Employees Health Benefits Act (74 Stat. 849), as amend-
13 ed, such sums as may be necessary.

14 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE
15 LIFE INSURANCE

16 For payment of Government contributions with re-
17 spect to employees retiring after December 31, 1989, as
18 required by chapter 87 of title 5, United States Code, such
19 sums as may be necessary.

20 PAYMENT TO CIVIL SERVICE RETIREMENT AND
21 DISABILITY FUND

22 For financing the unfunded liability of new and in-
23 creased annuity benefits becoming effective on or after Oc-
24 tober 20, 1969, as authorized by 5 U.S.C. 8348, and an-
25 nuities under special Acts to be credited to the Civil Serv-
26 ice Retirement and Disability Fund, such sums as may

1 be necessary: *Provided*, That annuities authorized by the
 2 Act of May 29, 1944, as amended, and the Act of August
 3 19, 1950, as amended (33 U.S.C. 771–775), may here-
 4 after be paid out of the Civil Service Retirement and Dis-
 5 ability Fund.

6 OFFICE OF SPECIAL COUNSEL

7 SALARIES AND EXPENSES

8 For necessary expenses to carry out functions of the
 9 Office of Special Counsel pursuant to Reorganization Plan
 10 Numbered 2 of 1978, the Civil Service Reform Act of
 11 1978 (Public Law 95–454), the Whistleblower Protection
 12 Act of 1989 (Public Law 101–12), Public Law 103–424,
 13 and the Uniformed Services Employment and Reemploy-
 14 ment Act of 1994 (Public Law 103–353), including serv-
 15 ices as authorized by 5 U.S.C. 3109, payment of fees and
 16 expenses for witnesses, rental of conference rooms in the
 17 District of Columbia and elsewhere, and hire of passenger
 18 motor vehicles, \$8,720,000.

19 UNITED STATES TAX COURT

20 SALARIES AND EXPENSES

21 For necessary expenses, including contract reporting
 22 and other services as authorized by 5 U.S.C. 3109,
 23 \$34,490,000: *Provided*, That travel expenses of the judges
 24 shall be paid upon the written certificate of the judge.

1 This title may be cited as the “Independent Agencies
2 Appropriations Act, 1999”.

3 TITLE V—GENERAL PROVISIONS

4 THIS ACT

5 SEC. 501. No part of any appropriation contained in
6 this Act shall remain available for obligation beyond the
7 current fiscal year unless expressly so provided herein.

8 SEC. 502. The expenditure of any appropriation
9 under this Act for any consulting service through procure-
10 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
11 to those contracts where such expenditures are a matter
12 of public record and available for public inspection, except
13 where otherwise provided under existing law, or under ex-
14 isting Executive order issued pursuant to existing law.

15 SEC. 503. None of the funds made available by this
16 Act shall be available for any activity or for paying the
17 salary of any Government employee where funding an ac-
18 tivity or paying a salary to a Government employee would
19 result in a decision, determination, rule, regulation, or pol-
20 icy that would prohibit the enforcement of section 307 of
21 the Tariff Act of 1930.

22 SEC. 504. None of the funds made available by this
23 Act shall be available in fiscal year 1999 for the purpose
24 of transferring control over the Federal Law Enforcement

1 Training Center located at Glynco, Georgia, and Artesia,
2 New Mexico, out of the Department of the Treasury.

3 SEC. 505. No funds appropriated pursuant to this
4 Act may be expended by an entity unless the entity agrees
5 that in expending the assistance the entity will comply
6 with sections 2 through 4 of the Buy American Act (41
7 U.S.C. 10a–10c).

8 SEC. 506. (a) PURCHASE OF AMERICAN-MADE
9 EQUIPMENT AND PRODUCTS.—In the case of any equip-
10 ment or products that may be authorized to be purchased
11 with financial assistance provided under this Act, it is the
12 sense of the Congress that entities receiving such assist-
13 ance should, in expending the assistance, purchase only
14 American-made equipment and products.

15 (b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In
16 providing financial assistance under this Act, the Sec-
17 retary of the Treasury shall provide to each recipient of
18 the assistance a notice describing the statement made in
19 subsection (a) by the Congress.

20 SEC. 507. If it has been finally determined by a court
21 or Federal agency that any person intentionally affixed a
22 label bearing a “Made in America” inscription, or any in-
23 scription with the same meaning, to any product sold in
24 or shipped to the United States that is not made in the
25 United States, such person shall be ineligible to receive

1 any contract or subcontract made with funds provided
2 pursuant to this Act, pursuant to the debarment, suspen-
3 sion, and ineligibility procedures described in sections
4 9.400 through 9.409 of title 48, Code of Federal Regula-
5 tions.

6 SEC. 508. No funds appropriated by this Act shall
7 be available to pay for an abortion, or the administrative
8 expenses in connection with any health plan under the
9 Federal employees health benefit program which provides
10 any benefits or coverage for abortions.

11 TITLE VI—GENERAL PROVISIONS

12 DEPARTMENTS, AGENCIES, AND CORPORATIONS

13 SEC. 601. Funds appropriated in this or any other
14 Act may be used to pay travel to the United States for
15 the immediate family of employees serving abroad in cases
16 of death or life threatening illness of said employee.

17 SEC. 602. Notwithstanding 31 U.S.C. 1345, any
18 agency, department, or instrumentality of the United
19 States which provides or proposes to provide child care
20 services for Federal employees may, in fiscal year 1999
21 and thereafter, reimburse any Federal employee or any
22 person employed to provide such services for travel, trans-
23 portation, and subsistence expenses incurred for training
24 classes, conferences, or other meetings in connection with
25 the provision of such services: *Provided*, That any per

1 diem allowance made pursuant to this section shall not
2 exceed the rate specified in regulations prescribed pursu-
3 ant to section 5707 of title 5, United States Code.

4 SEC. 603. Unless otherwise specified during the cur-
5 rent fiscal year, no part of any appropriation contained
6 in this or any other Act shall be used to pay the compensa-
7 tion of any officer or employee of the Government of the
8 United States (including any agency the majority of the
9 stock of which is owned by the Government of the United
10 States) whose post of duty is in the continental United
11 States unless such person: (1) is a citizen of the United
12 States; (2) is a person in the service of the United States
13 on the date of enactment of this Act who, being eligible
14 for citizenship, has filed a declaration of intention to be-
15 come a citizen of the United States prior to such date and
16 is actually residing in the United States; (3) is a person
17 who owes allegiance to the United States; (4) is an alien
18 from Cuba, Poland, South Vietnam, the countries of the
19 former Soviet Union, or the Baltic countries lawfully ad-
20 mitted to the United States for permanent residence; (5)
21 is a South Vietnamese, Cambodian, or Laotian refugee pa-
22 roled in the United States after January 1, 1975; or (6)
23 is a national of the People's Republic of China who quali-
24 fies for adjustment of status pursuant to the Chinese Stu-
25 dent Protection Act of 1992: *Provided*, That for the pur-

pose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than \$4,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

SEC. 604. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services

1 and those expenses of renovation and alteration of build-
2 ings and facilities which constitute public improvements
3 performed in accordance with the Public Buildings Act of
4 1959 (73 Stat. 749), the Public Buildings Amendments
5 of 1972 (87 Stat. 216), or other applicable law.

6 SEC. 605. Funds made available by this or any other
7 Act to the Postal Service Fund (39 U.S.C. 2003) shall
8 be available for employment of guards for all buildings and
9 areas owned or occupied by the Postal Service and under
10 the charge and control of the Postal Service, and such
11 guards shall have, with respect to such property, the pow-
12 ers of special policemen provided by the first section of
13 the Act of June 1, 1948, as amended (62 Stat. 281; 40
14 U.S.C. 318), and, as to property owned or occupied by
15 the Postal Service, the Postmaster General may take the
16 same actions as the Administrator of General Services
17 may take under the provisions of sections 2 and 3 of the
18 Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C.
19 318a and 318b), attaching thereto penal consequences
20 under the authority and within the limits provided in sec-
21 tion 4 of the Act of June 1, 1948, as amended (62 Stat.
22 281; 40 U.S.C. 318c).

23 SEC. 606. None of the funds made available pursuant
24 to the provisions of this Act shall be used to implement,
25 administer, or enforce any regulation which has been dis-

1 approved pursuant to a resolution of disapproval duly
2 adopted in accordance with the applicable law of the
3 United States.

4 SEC. 607. (a) Notwithstanding any other provision
5 of law, and except as otherwise provided in this section,
6 no part of any of the funds appropriated for fiscal year
7 1999 by this or any other Act, may be used to pay any
8 prevailing rate employee described in section
9 5342(a)(2)(A) of title 5, United States Code—

10 (1) during the period from the date of expira-
11 tion of the limitation imposed by section 614 of the
12 Treasury, Postal Service and General Government
13 Appropriations Act, 1998, until the normal effective
14 date of the applicable wage survey adjustment that
15 is to take effect in fiscal year 1999, in an amount
16 that exceeds the rate payable for the applicable
17 grade and step of the applicable wage schedule in
18 accordance with such section 614; and

19 (2) during the period consisting of the remain-
20 der of fiscal year 1999, in an amount that exceeds,
21 as a result of a wage survey adjustment, the rate
22 payable under paragraph (1) by more than the sum
23 of—

24 (A) the percentage adjustment taking ef-
25 fect in fiscal year 1999 under section 5303 of

1 title 5, United States Code, in the rates of pay
2 under the General Schedule; and

3 (B) the difference between the overall aver-
4 age percentage of the locality-based comparabil-
5 ity payments taking effect in fiscal year 1999
6 under section 5304 of such title (whether by
7 adjustment or otherwise), and the overall aver-
8 age percentage of such payments which was ef-
9 fective in fiscal year 1998 under such section.

10 (b) Notwithstanding any other provision of law, no
11 prevailing rate employee described in subparagraph (B) or
12 (C) of section 5342(a)(2) of title 5, United States Code,
13 and no employee covered by section 5348 of such title,
14 may be paid during the periods for which subsection (a)
15 is in effect at a rate that exceeds the rates that would
16 be payable under subsection (a) were subsection (a) appli-
17 cable to such employee.

18 (c) For the purposes of this section, the rates payable
19 to an employee who is covered by this section and who
20 is paid from a schedule not in existence on September 30,
21 1998, shall be determined under regulations prescribed by
22 the Office of Personnel Management.

23 (d) Notwithstanding any other provision of law, rates
24 of premium pay for employees subject to this section may
25 not be changed from the rates in effect on September 30,

1 1998, except to the extent determined by the Office of
2 Personnel Management to be consistent with the purpose
3 of this section.

4 (e) This section shall apply with respect to pay for
5 service performed after September 30, 1998.

6 (f) For the purpose of administering any provision
7 of law (including section 8431 of title 5, United States
8 Code, and any rule or regulation that provides premium
9 pay, retirement, life insurance, or any other employee ben-
10 efit) that requires any deduction or contribution, or that
11 imposes any requirement or limitation on the basis of a
12 rate of salary or basic pay, the rate of salary or basic pay
13 payable after the application of this section shall be treat-
14 ed as the rate of salary or basic pay.

15 (g) Nothing in this section shall be considered to per-
16 mit or require the payment to any employee covered by
17 this section at a rate in excess of the rate that would be
18 payable were this section not in effect.

19 (h) The Office of Personnel Management may provide
20 for exceptions to the limitations imposed by this section
21 if the Office determines that such exceptions are necessary
22 to ensure the recruitment or retention of qualified employ-
23 ees.

24 SEC. 608. No department, agency, or instrumentality
25 of the United States receiving appropriated funds under

1 this or any other Act for fiscal year 1999 shall obligate
2 or expend any such funds, unless such department, agen-
3 cy, or instrumentality has in place, and will continue to
4 administer in good faith, a written policy designed to en-
5 sure that all of its workplaces are free from discrimination
6 and sexual harassment and that all of its workplaces are
7 not in violation of title VII of the Civil Rights Act of 1964,
8 as amended, the Age Discrimination in Employment Act
9 of 1967, and the Rehabilitation Act of 1973.

10 SEC. 609. No part of any appropriation contained in
11 this Act may be used to pay for the expenses of travel
12 of employees, including employees of the Executive Office
13 of the President, not directly responsible for the discharge
14 of official governmental tasks and duties: *Provided*, That
15 this restriction shall not apply to the family of the Presi-
16 dent, Members of Congress or their spouses, Heads of
17 State of a foreign country or their designees, persons pro-
18 viding assistance to the President for official purposes, or
19 other individuals so designated by the President.

20 SEC. 610. For purposes of each provision of law
21 amended by section 704(a)(2) of the Ethics Reform Act
22 of 1989 (5 U.S.C. 5318 note), no adjustment under sec-
23 tion 5303 of title 5, United States Code, shall be consid-
24 ered to have taken effect in fiscal year 1999 in the rates
25 of basic pay for the statutory pay systems.

1 SEC. 611. None of the funds appropriated in this or
2 any other Act shall be used to acquire information tech-
3 nologies which do not comply with part 39.106 (Year 2000
4 compliance) of the Federal Acquisition Regulation, unless
5 an agency's Chief Information Officer determines that
6 noncompliance with part 39.106 is necessary to the func-
7 tion and operation of the requesting agency or the acquisi-
8 tion is required by a signed contract with the agency in
9 effect before the date of enactment of this Act. Any waiver
10 granted by the Chief Information Officer shall be reported
11 to the Office of Management and Budget, and copies shall
12 be provided to Congress.

13 SEC. 612. None of the funds made available in this
14 Act for the United States Customs Service may be used
15 to allow the importation into the United States of any
16 good, ware, article, or merchandise mined, produced, or
17 manufactured by forced or indentured child labor, as de-
18 termined pursuant to section 307 of the Tariff Act of
19 1930 (19 U.S.C. 1307).

20 SEC. 613. Notwithstanding any other provision of
21 law, no part of any funds provided by this Act or any other
22 Act beginning in fiscal year 1999 and thereafter shall be
23 available for paying Sunday premium pay to any employee
24 unless such employee actually performed work during the
25 time corresponding to such premium pay.

1 SEC. 614. No part of any appropriation contained in
2 this or any other Act shall be available for the payment
3 of the salary of any officer or employee of the Federal
4 Government, who—

5 (1) prohibits or prevents, or attempts or threat-
6 ens to prohibit or prevent, any other officer or em-
7 ployee of the Federal Government from having any
8 direct oral or written communication or contact with
9 any Member, committee, or subcommittee of the
10 Congress in connection with any matter pertaining
11 to the employment of such other officer or employee
12 or pertaining to the department or agency of such
13 other officer or employee in any way, irrespective of
14 whether such communication or contact is at the ini-
15 tiative of such other officer or employee or in re-
16 sponse to the request or inquiry of such Member,
17 committee, or subcommittee; or

18 (2) removes, suspends from duty without pay,
19 demotes, reduces in rank, seniority, status, pay, or
20 performance of efficiency rating, denies promotion
21 to, relocates, reassigns, transfers, disciplines, or dis-
22 criminate in regard to any employment right, enti-
23 tlement, or benefit, or any term or condition of em-
24 ployment of, any other officer or employee of the
25 Federal Government, or attempts or threatens to

1 commit any of the foregoing actions with respect to
2 such other officer or employee, by reason of any
3 communication or contact of such other officer or
4 employee with any Member, committee, or sub-
5 committee of the Congress as described in paragraph
6 (1).

7 SEC. 615. Section 626(b) of the Treasury, Postal
8 Service, and General Government Appropriations Act,
9 1997, as contained in section 101(f) of Public Law 104–
10 208 (110 Stat. 3009–360), the Omnibus Consolidated Ap-
11 propriations Act, 1997, is amended to read as follows:

12 “(b) Until the end of the current FTS 2000 con-
13 tracts, or September 30, 1999, whichever is sooner, sub-
14 section (a) shall continue to apply to the use of the funds
15 appropriated by this or any other Act.”.

16 SEC. 616. (a) DEFINITIONS.—In this section—

17 (1) the term “crime of violence” has the mean-
18 ing given that term in section 16 of title 18, United
19 States Code; and

20 (2) the term “law enforcement officer” means
21 any employee described in subparagraph (A), (B), or
22 (C) of section 8401(17) of title 5, United States
23 Code; and any special agent in the Diplomatic Secu-
24 rity Service of the Department of State.

1 (b) RULE OF CONSTRUCTION.—Notwithstanding any
2 other provision of law, for purposes of chapter 171 of title
3 28, United States Code, or any other provision of law re-
4 lating to tort liability, a law enforcement officer shall be
5 construed to be acting within the scope of his or her office
6 or employment, if the officer takes any action, including
7 the use of force, that is determined by the officer to be
8 necessary to—

9 (1) protect an individual in the presence of the
10 officer from a crime of violence;

11 (2) provide immediate assistance to an individ-
12 ual who has suffered or who is threatened with bod-
13 ily harm; or

14 (3) prevent the escape of any individual who the
15 officer reasonably believes to have committed in the
16 presence of the officer a crime of violence.

17 SEC. 617. FEDERAL FIREFIGHTERS OVERTIME PAY
18 REFORM ACT OF 1998.—(a) Subchapter V of chapter 55
19 of title 5, United States Code, is amended—

20 (1) in section 5542 by adding the following new
21 subsection at the end thereof:

22 “(f) In applying subsection (a) of this section with
23 respect to a firefighter who is subject to section 5545b—

24 “(1) such subsection (a) shall be deemed to
25 apply to hours of work officially ordered or approved

1 in excess of 106 hours in a biweekly pay period, or,
2 if the agency establishes a weekly basis for overtime
3 pay computation, in excess of 53 hours in an admin-
4 istrative workweek; and

5 “(2) the overtime hourly rate of pay is an
6 amount equal to one and one-half times the hourly
7 rate of basic pay under section 5545b (b)(1)(A) or
8 (c)(1)(B), as applicable, and such overtime hourly
9 rate of pay may not be less than such hourly rate
10 of basic pay in applying the limitation on the over-
11 time rate provided in paragraph (2) of such sub-
12 section (a).”; and

13 (2) by inserting after section 5545a the follow-
14 ing new section:

15 **“§ 5545b. Pay for firefighters**

16 “(a) This section applies to an employee whose posi-
17 tion is classified in the firefighter occupation in conform-
18 ance with the GS–081 standard published by the Office
19 of Personnel Management, and whose normal work sched-
20 ule, as in effect throughout the year, consists of regular
21 tours of duty which average at least 106 hours per bi-
22 weekly pay period.

23 “(b)(1) If the regular tour of duty of a firefighter
24 subject to this section generally consists of 24-hour shifts,
25 rather than a basic 40-hour workweek (as determined

1 under regulations prescribed by the Office of Personnel
2 Management), section 5504(b) shall be applied as follows
3 in computing pay—

4 “(A) paragraph (1) of such section shall be
5 deemed to require that the annual rate be divided by
6 2756 to derive the hourly rate; and

7 “(B) the computation of such firefighter’s daily,
8 weekly, or biweekly rate shall be based on the hourly
9 rate under subparagraph (A);

10 “(2) For the purpose of sections 5595(c), 5941,
11 8331(3), and 8704(c), and for such other purposes as may
12 be expressly provided for by law or as the Office of Person-
13 nel Management may by regulation prescribe, the basic
14 pay of a firefighter subject to this subsection shall include
15 an amount equal to the firefighter’s basic hourly rate (as
16 computed under paragraph (1)(A)) for all hours in such
17 firefighter’s regular tour of duty (including overtime
18 hours).

19 “(c)(1) If the regular tour of duty of a firefighter
20 subject to this section includes a basic 40-hour workweek
21 (as determined under regulations prescribed by the Office
22 of Personnel Management), section 5504(b) shall be ap-
23 plied as follows in computing pay—

24 “(A) the provisions of such section shall apply
25 to the hours within the basic 40-hour workweek”;

1 “(B) for hours outside the basic 40-hour work-
2 week, such section shall be deemed to require that
3 the hourly rate be derived by dividing the annual
4 rate by 2756; and

5 “(C) the computation of such firefighter’s daily,
6 weekly, or biweekly rate shall be based on subpara-
7 graphs (A) and (B), as each applies to the hours in-
8 volved.

9 “(2) For purposes of sections 5595(c), 5941,
10 8331(3), and 8704(c), and for such other purposes as may
11 be expressly provided for by law or as the Office of Person-
12 nel Management may by regulation prescribe, the basic
13 pay of a firefighter subject to this subsection shall in-
14 clude—

15 “(A) an amount computed under paragraph
16 (1)(A) for the hours within the basic 40-hour work-
17 week; and

18 “(B) an amount equal to the firefighter’s basic
19 hourly rate (as computed under paragraph (1)(B))
20 for all hours outside the basic 40-hour workweek
21 that are within such firefighter’s regular tour of
22 duty (including overtime hours).

23 “(d)(1) A firefighter who is subject to this section
24 shall receive overtime pay in accordance with section 5542,

1 but shall not receive premium pay provided by other provi-
2 sions of this subchapter.

3 “(2) For the purpose of applying section 7(k) of the
4 Fair Labor Standards Act of 1938 to a firefighter who
5 is subject to this section, no violation referred to in such
6 section 7(k) shall be deemed to have occurred if the re-
7 quirements of section 5542(a) are met, applying section
8 5542(a) as provided in subsection (f) of that section: *Pro-*
9 *vided*, That the overtime hourly rate of pay for such fire-
10 fighter shall in all cases be an amount equal to one and
11 one-half times the firefighter’s hourly rate of basic pay
12 under subsection (b)(1)(A) or (c)(1)(B) of this section, as
13 applicable.

14 “(3) The Office of Personnel Management may pre-
15 scribe regulations, with respect to firefighters subject to
16 this section, that would permit an agency to reduce or
17 eliminate the variation in the amount of firefighters’ bi-
18 weekly pay caused by work scheduling cycles that result
19 in varying hours in the regular tours of duty from pay
20 period to pay period. Under such regulations, the pay that
21 a firefighter would otherwise receive for regular tours of
22 duty over the work scheduling cycle shall, to the extent
23 practicable, remain unaffected.”.

1 (b) The analysis for chapter 55 of title 5, United
2 States Code, is amended by inserting at the appropriate
3 place the following new item:

“5545b. Pay for firefighters.”.

4 (c) Section 4109 of title 5, United States Code, is
5 amended by adding the following new subsection at the
6 end thereof:

7 “(d) Notwithstanding subsection (a)(1), a firefighter
8 who is subject to section 5545b of this title shall be paid
9 basic pay and overtime pay for the firefighter’s regular
10 tour of duty while attending agency sanctioned training.”.

11 (d) section 8331(3) of title 5, United States Code,
12 is amended—

13 (1) by striking “and” after subparagraph (D);

14 (2) by redesignating subparagraph (E) as sub-
15 paragraph (G);

16 (3) by inserting the following:

17 “(E) with respect to a criminal investiga-
18 tor, availability pay under section 5545a of this
19 title;

20 “(F) pay as provided in section 5545b
21 (b)(2) and (c)(2); and ”; and

22 (4) by striking “subparagraphs (B), (C), (D),
23 and (E)” and inserting “subparagraphs (B)–(G)”.

24 (e) The amendments made by this section shall take
25 effect on the first day of the first applicable pay period

1 which begins on or after the later of October 1, 1998, or
2 the 180th day following the date of enactment of this sec-
3 tion.

4 (f) Under regulations prescribed by the Office of Per-
5 sonnel Management, a firefighter subject to section 5545b
6 of title 5, United States Code, as added by this section,
7 whose regular tours of duty average 60 hours or less per
8 workweek and do not include a basic 40-hour workweek,
9 shall, upon implementation of this section, be granted an
10 increase in basic pay equal to 2 step-increases of the appli-
11 cable General Schedule grade, and such increase shall not
12 be an equivalent increase in pay. If such increase results
13 in a change to a longer waiting period for the firefighter's
14 next step increase, the firefighter shall be credited with
15 an additional year of service for the purpose of such wait-
16 ing period. If such increase results in a rate of basic pay
17 which is above the maximum rate of the applicable grade,
18 such resulting pay rate shall be treated as a retained rate
19 of basic pay in accordance with section 5363 of title 5,
20 United States Code.

21 (g) Under regulations prescribed by the Office of Per-
22 sonnel Management, the regular pay (over the established
23 work scheduling cycle) of a firefighter subject to section
24 5545b of title 5, United States Code, as added by this

1 section, shall not be reduced as a result of the implementa-
2 tion of this section.

3 COORDINATION OF SOUTHWEST BORDER COUNTER-DRUG
4 ACTIVITIES

5 SEC. 618. (1) Not later than 180 days after the date
6 of enactment of this Act, the Director of the Office of Na-
7 tional Drug Control Policy shall conduct a review of Fed-
8 eral efforts and submit to the appropriate congressional
9 committees, including the Committees on Appropriations,
10 a plan to improve coordination among the Federal agen-
11 cies with responsibility to protect the borders against drug
12 trafficking. The review shall also include consideration of
13 Federal agencies' coordination with State and local law
14 enforcement agencies. The plan shall include an assess-
15 ment and action plan, including the activities of the follow-
16 ing departments and agencies:

- 17 (A) Department of the Treasury;
- 18 (B) Department of Justice;
- 19 (C) United States Coast Guard;
- 20 (D) Department of Defense;
- 21 (E) Department of Transportation;
- 22 (F) Department of State; and
- 23 (G) Department of Interior.

24 (2) The purpose of the plan under paragraph (1) is
25 to maximize the effectiveness of the border control efforts
26 in achieving the objectives of the national drug control

1 strategy in a manner that is also consistent with the goal
2 of facilitating trade. In order to maximize the effective-
3 ness, the plan shall:

4 (A) specify the methods used to enhance co-
5 operation, planning and accountability among the
6 Federal, State, and local agencies with responsibil-
7 ities along the Southwest border;

8 (B) specify mechanisms to ensure cooperation
9 among the agencies, including State and local agen-
10 cies, with responsibilities along the Southwest bor-
11 der;

12 (C) identify new technologies that will be used
13 in protecting the borders including conclusions re-
14 garding appropriate deployment of technology;

15 (D) identify new initiatives for infrastructure
16 improvements;

17 (E) recommend reinforcements in terms of re-
18 sources, technology and personnel necessary to en-
19 sure capacity to maintain appropriate inspections;

20 (F) integrate findings of the White House Intel-
21 ligence Architecture Review into the plan; and

22 (G) make recommendations for strengthening
23 the HIDTA program along the Southwest border.

24 SEC. 619. (a) FLEXIPLACE WORK TELECOMMUTING
25 PROGRAMS.—For fiscal year 1999 and each fiscal year

1 thereafter, of the funds made available to each Executive
2 agency for salaries and expenses, at a minimum \$50,000
3 shall be available only for the necessary expenses of the
4 Executive agency to carry out a flexiplace work tele-
5 commuting program.

6 (b) DEFINITIONS.—For purposes of this section:

7 (1) EXECUTIVE AGENCY.—The term “Executive
8 agency” means the following list of departments and
9 agencies: Department of State, Treasury, Defense,
10 Justice, Interior, Labor, Health and Human Serv-
11 ices, Agriculture, Commerce, Housing and Urban
12 Development, Transportation, Energy, Education,
13 Veterans’ Affairs, General Service Administration,
14 Office of Personnel Management, Small Business
15 Administration, Smithsonian, Social Security Ad-
16 ministration, Environmental Protection Agency, U.S.
17 Postal Service.

18 (2) FLEXIPLACE WORK TELECOMMUTING PRO-
19 GRAM.—The term “flexiplace work telecommuting
20 program” means a program under which employees
21 of an Executive agency are permitted to perform all
22 or a portion of their duties at a flexiplace work tele-
23 commuting center established under section 210(l)
24 of the Federal Property and Administrative Services

1 Act of 1949 (40 U.S.C. 490(l)) or other Federal
2 law.

3 SEC. 620. (a) MERITORIOUS EXECUTIVE.—Section
4 4507(e)(1) of title 5, United States Code, is amended by
5 striking “\$10,000” and inserting “an amount equal to 20
6 percent of annual basic pay”.

7 (b) DISTINGUISHED EXECUTIVE.—Section
8 4507(e)(2) of title 5, United States Code, is amended by
9 striking “\$20,000” and inserting “an amount equal to 35
10 percent of annual basic pay”.

11 (c) EFFECTIVE DATE.—The amendments made by
12 this section shall take effect on October 1, 1998, or the
13 date of enactment of this Act, whichever is later.

14 SEC. 621. (a) CAREER SES PERFORMANCE
15 AWARDS.—Section 5384(b)(3) of title 5, United States
16 Code, is amended—

17 (1) by striking “3 percent” and inserting “10
18 percent”; and

19 (2) by striking “15 percent” and inserting “20
20 percent”.

21 (b) EFFECTIVE DATE.—The amendments made by
22 this section shall take effect on October 1, 1998, or the
23 date of enactment of this Act, whichever is later.

1 SEC. 622. None of the funds appropriated by this Act
2 may be used to fund United States Postal Service partici-
3 pation in the Universal Postal Union.

4 SEC. 623. No funds appropriated for the United
5 States Postal Service under this Act may be expended by
6 the Postal Service to initiate new nonpostal commercial
7 activities or pack and send services.

8 SEC. 624. (a) None of the funds appropriated by this
9 Act may be used to enter into or renew a contract which
10 includes a provision providing prescription drug coverage,
11 except where the contract also includes a provision for con-
12 traceptive coverage.

13 (b) Nothing in this section shall apply to a contract
14 with any of the following religious plans:

15 (1) SelectCare.

16 (2) PersonalCaresHMO.

17 (3) Care Choices.

18 (4) OSF Health Plans, Inc.

19 (5) Yellowstone Community Health Plan.

- 1 This Act may be cited as the “Treasury and General
- 2 Government Appropriations Act, 1999”.

Passed the House of Representatives July 16, 1998.

Attest:

Clerk.